

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 2509 – SB 2628

February 3, 2022

SUMMARY OF BILL: Removes a short-barrel rifle or shotgun from the list of prohibited weapons for the offense of intentionally or knowingly possessing, manufacturing, transporting, repairing, or selling a prohibited weapon.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Tennessee Code Annotated § 39-17-1302(a)(4) prohibits any person from intentionally or knowingly possessing, manufacturing, transporting, repairing, or selling a short-barrel rifle or shotgun.
- The proposed legislation repeals such an offense and authorizes an individual to possess, manufacture, transport, repair, or sell a short-barrel rifle or shotgun in Tennessee.
- Pursuant to Tenn. Code Ann. § 39-17-1302(f)(2), possessing, manufacturing, transporting, repairing, or selling a short-barrel rifle or shotgun is a Class E felony offense.
- Based upon information provided by the Department of Correction, there has been an average of 1.7 admissions in each of the last 10 years for the offense of prohibited weapons.
- However, these admissions include offenses under Tenn. Code Ann. § 39-17-1302(a)(2)-(4) and are not specific to short-barrel rifles or shotguns.
- In addition, pursuant to Tenn. Code Ann. § 39-17-1302(d), it is a defense to Tenn. Code Ann. § 39-17-1302 that the person acquiring or possessing a short-barrel rifle or shotgun is in compliance with the National Firearms Act (NFA), 26 U.S.C. §§ 5841-5862.
- Due to the low number of admissions under Tenn. Code Ann. § 39-17-1302(a)(2)-(4) and the exception to the application of Tenn. Code Ann. § 39-17-1302(a) if in compliance with the NFA, it is estimated that the proposed legislation will not significantly impact incarceration costs. Any decrease in state or local expenditures will be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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